

Appl. No. 10/604,979  
Amdt. dated Dec 2, 2004  
Reply to Office action of September 03, 2004

### REMARKS/ARGUMENTS

The disclosure is objected to because of some informalities. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. Claims 1 and 4-6 are objected to because of some informalities. Claim 1-5 are rejected  
5 under 35 U.S.C. 102(e) as being anticipated by Tai et al. (US 2004/0124830).

#### **1. Objection to the disclosure because of some informalities:**

The disclosure is objected to because of the following informalities:  
"itemsupon" should be "items upon", "onthe" should be "on the", "stepmay" should be  
10 "Step may". Appropriate correction is required.

#### **Response:**

To overcome the objection and correct some other typographical errors, the specification has been amended as described in the above AMENDMENTS TO THE  
15 SPECIFICATION section.

#### **2. Objection to the specification:**

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75 (d) (1) and MPEP §608.01(o).  
20 Correction of the following is required: the limitation of claims 1 and 6, "... classifying the plurality of product lots into at least two first groups according to their test parameters of the representative final test item, if the representative final test item is correlated to the packaging process step..." is not supported by Figs. 2 and 4. It appears that the classifying step is performed regardless of whether the representative final test item is  
25 correlated to the packaging process step (step 204) or not (step 401).

#### **Response:**

With respect to the objection to the specification as failing to provide proper

Appl. No. 10/604,979  
Amdt. dated Dec 2, 2004  
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antecedent basis, the applicant respectfully disagrees with the objection for the reasons set forth below.

- 5           Claims 1 and 6 are currently amended as described in the above AMENDMENT TO THE CLAIMS section. At first, the applicant respectfully explicates that the step in claim 1 pointed out by the Examiner is worded after the amendment as “classifying the plurality of product lots into at least two first groups according to their test parameters of the representative final test item if the representative final test item is determined as  
10 correlating ~~correlated to the packaging process step~~, the first product groups comprising a first qualified group and a first failed group.”

          In claim 1, after a representative final test item is selected (the selection is performed in step 202 as shown in Fig.2), the representative final test item is determined  
15 to be correlated to the packaging process step or not (the determination is performed in step 203). Then, if the representative final test item is determined to be correlated to the packaging process step, the plurality of product lots are subjected to be classified according to their test parameters of the representative final test item into at least two first groups (the classification is performed in step 204). Therefore, the steps described  
20 in claim 1 for the method of the present application have already been clearly exemplified by Fig. 2 in addition to having been described in detail in the detailed description in the specification of the present invention. Therefore, the specification provides proper antecedent basis for claim 1.

- 25           In claim 6 depending on claim 1, it describes the method further comprises the steps exemplified by Fig. 4 when the representative final test item is determined as not being correlated to the packaging process step. The first step further comprised in claim 6 is that “if the representative final test item is determined as not correlating to the packaging process step, the plurality of product lots are classified according to their

Appl. No. 10/604,979  
Amdt. dated Dec 2, 2004  
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test parameters of the representative final test item **into at least two second groups**", as step 401 exemplified in Fig. 4. The second product groups generated from the classification comprises a second qualified group and a second failed group. Then, a  
5 search is performed to find at least one in-line quality control item or sample test item correlated to the representative final test item, and their related parameters, as step 402 exemplifies in Fig. 4. Finally, the remaining steps as described in claim 6 are performed. Clearly, the steps described in claim 6 are depicted in Figs. 2 and 4. Moreover, in addition to Figs. 2 and 4, the steps are described in more detail in the detailed description  
10 of the specification. Therefore, the specification also provides proper antecedent basis for claim 6.

In claim 1, the plurality of product lots are classified **into at least two first groups**, and in claim 6, the plurality of product lots are classified **into at least two**  
15 **second groups**, thus there is no confusion caused by the terms used in claims 1 and 6. The applicant believes that the claims are properly described according to 37 CFR 1.75 (d) (1) and MPEP §608.01(o). Reconsideration of claims 1 and 6 is hereby respectfully requested.

20 **3. Objections to claims 1 and 4-6:**

Claims 1 and 4-6 are objected to because of the following informalities:  
"probabilityof" should be "probability of" in claim 1, "ofthe" should be "of the" and  
"wherein the killed final test item is the final test item in which the average of the failure rate of the plurality of lots of wafers is the highest one..." should be "wherein the killed  
25 final test item is the final test item having the highest average failure rate when a plurality of lots of products are tested..." in claim 4, "probabilityof" should be "probability of" in claim 5, "searchingfor" should be "searching for" and "isan" should be "is an" in claim 6. Appropriated correction is required.

Appl. No. 10/604,979  
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**Response:**

To overcome the claim objections, claims 1 and 4-6 have been amended as described in the above AMENDMENT TO THE CLAIMS section. Reconsideration of  
5 claims 1 and 4-6 is hereby respectfully requested.

**4. Rejections of claims 1-5:**

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Tai et al. (US 2004/0124830) for reasons of record, as recited on pages 3-5 of the above-indicated  
10 Office action (part of paper no. 4).

**Response:**

To overcome the rejections of claims 1-5, a signed statement certifying the translation of Taiwan application No. 091138168 into English is attached. The Taiwan  
15 application is relied upon for foreign priority under 35 U.S.C 119(a)(d).

The Taiwan application has been translated into English by Yu Hui Liao, who is fluent in both Chinese and English. The translation into English, certified by Yu Hui Liao is also attached, and provides proof that all subject matter contained in the instant  
20 US application was also taught in the corresponding Taiwan application.

Since the priority date (Dec. 31, 2002) of the Taiwan application is earlier than the earliest effective US filing date (Aug. 11, 2003) of the Tai et al. (US 2004/0124830) patent, the foreign priority papers, the attached translation, and the certified statement  
25 effectively overcome the rejections of claims 1-5 using the US 2004/0124830 reference.

In view of the above, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Appl. No. 10/604,979  
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Sincerely yours,

5 Winston Hsu

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15 Attachments